

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED
14 JAN 28 AM 11:56MICHAEL R. MERZ
UNITED STATES
MAGISTRATE JUDGE

3:14-mj-027

MICHAEL R. MERZ

In the Matter of the Search of)
 (Briefly describe the property to be searched)
 or identify the person by name and address)
 Priority Mail Parcel, USPS Tracking Number, 9114 9011 5981 5818)
 1754 33, postmarked January 23, 2014, addressed to Trammells)
 Family, 1118 Crocus, Apt. C, Dayton, Ohio 45417, with a return)
 address of J. Joshua, 330 N Van Ness, # 115, Fresno, CA 93710.)

Case No.

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Parcel, USPS Tracking Number, 9114 9011 5981 5818 1754 33

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. 841 (a) (1), 843 (b) & 846	Conspiracy to distribute a controlled substance Possession with intent to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector McDonough

- Continued on the attached sheet.
- Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Suzanne M. McDonough
Applicant's signature

Suzanne M. McDonough, U. S. Postal Inspector

Printed name and title



Judge's signature

Honorable Michael R. Merz
United States Magistrate Judge

Printed name and title

Sworn to before me and signed in my presence.

Date:

January 28, 2014

City and state: Dayton, Ohio

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
DAYTON, OHIO

STATE OF OHIO)
) SS
COUNTY OF MONTGOMERY)

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, SUZANNE McDONOUGH, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector, having been so employed since July 22, 1995. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the Postal Inspection Service with investigative responsibility for Southwest Ohio and Northern Kentucky. Part of my investigative responsibility involves the use of the United States Mail in the transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.

Your affiant attended a week-long national Inspection Service training course in October, 1997. The training involved narcotic investigation techniques, chemical field tests and training in the detection and identification of controlled substances being transported in the U. S. Mail. In September 1999 your affiant attended a two-week drug investigator's training course provided by the Drug Enforcement Administration that included training in drug identification, drug interdiction, confidential informant management, and undercover investigation practices. In addition to this formal training, your affiant has worked since 1996 with various federal, state and local law enforcement agencies in the investigation of the transportation of illegal drugs and their identification. Primarily your affiant's investigative attention relates to the mailing of narcotics within the continental United States. Infrequently investigations involve foreign originating packages, those referred by U. S. Customs, and those coming to your affiant's attention

from other law enforcement agencies.

Your affiant has become aware that drug traffickers frequently use Express Mail, a business-oriented over-night service offered by the United States Postal Service, to transport narcotics and other dangerous controlled substances. As a result of investigations and successful controlled substance prosecutions where Express Mail was used, your affiant has learned of certain characteristics indicative of other Express Mail items previously identified as containing narcotics or other dangerous controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion, false or non-existent return address, addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity.

On January 27, 2014, your affiant was contacted by Postal Inspector K. O'Neill regarding two suspicious Priority Mail Parcels intercepted by the U. S. Postal Inspection Service in Fresno, CA. Inspector O'Neill stated the handwriting on the parcels is pictorially similar and they bear the same return street address, but have different zip codes listed. At the request of your affiant, the parcels were forwarded to your affiant's attention at the Dayton, OH Main Office Box Section for further investigation.

On January 28, 2014, the parcels were received by your affiant and are further described as follows:

USPS Tracking Number: 9114 9011 5981 5818 1689 09

Sender: J. Joshua
330 N. Van Ness, #115
Fresno, CA 93701

Addressee: Jackie Jones
830 Oldfield Pl.
Dayton, Ohio 45417

and

USPS Tracking Number: 9114 9011 5981 5818 1754 33

Sender: J. Joshua
330 N. Van Ness, #115
Fresno, CA 93710

Addressee: Trammells Family
1118 Crocus, Apt. C
Dayton, Ohio 45417

Observation of the Priority Mail Parcels indicated the parcels were mailed from the Cardwell Station Post Office, Fresno, CA 93704. Through training and experience, your affiant has learned that the area in and around Fresno, CA, is a location of known drug activity and a drug source location.

The AccurintLE database was researched regarding the listed return address, J. Joshua, 330 N Van Ness, # 115, Fresno, CA 93710, and J. Joshua, 330 N Van Ness, # 115, Fresno, CA 93701. The information obtained from the system indicated no one by the name of J. Joshua is known to be associated with that address, but a Joshua Joshaya was known to be associated with that address until May, 2013. Additionally, the U. S. Postal Service Address Management System was researched regarding the listed

address. The information obtained from the system indicated the correct zip code for that address is 93701.

The AccurintLE database was also researched regarding the addressee, Jackie Jones, 830 Oldfield PI, Dayton, Ohio 45417. The information obtained from the database indicated no one by the name of Jackie Jones is known to be associated with that address.

The AccurintLE database was also researched regarding the addressee, Trammells Family, 1118 Crocus, Apt. C, Dayton, Ohio 45417. The information obtained from the database indicated no Family by the name of Trammells is known to be associated with that address.

Officer Tonina Lamanna, Dayton Police Department, was contacted regarding the suspect parcel to arrange for a narcotic's canine to check the parcel. Officer Lamanna and her canine "Raika" are a currently certified narcotics team. The team was most recently certified by the International Police Work Dog Association. Officer Lamanna responded to the Dayton, OH Processing and Distribution Center where the parcels were placed in separate offices among several other similar parcels and presented to narcotic canine, "Raika", who alerted positively to the presence or odor of a controlled substance upon Priority Mail Parcel, USPS Tracking Number, 9114 9011 5981 5818 1689 09 and Priority Mail Parcel, USPS Tracking Number, 9114 9011 5981 5818 1754 33. Attached herewith, and made part hereof by reference, are a photocopies of the narcotic canine handler's records of examination.

This information, along with the parcel being mailed from a known drug source location and the positive alert of narcotic canine "Raika" is indicative of a drug package.

Based on the information contained herein, your affiant believes that contained in Priority Mail Parcels, USPS Tracking Numbers, 9114 9011 5981 5818 1689 09 and 9114 9011 5981 5818 1754 33, is a quantity of a narcotic or other dangerous controlled substance, their proceeds or instrumentality's. Therefore, search warrants to open the parcels are requested.

Further, your affiant sayeth naught.



Suzanne McDonough
Postal Inspector

Subscribed and sworn to and before me this 28th day of January, 2014.


Honorable Michael R. Merz
United States Magistrate Judge



United States Postal Inspection Service
Pittsburgh Division

OFFICER AFFIDAVIT

I, Officer T. Lamanna, AM, AND HAVE BEEN, EMPLOYED BY THE Dayton Police Department, SINCE 8/2001. AMONG OTHER DUTIES, I AM CURRENTLY THE ASSIGNED HANDLER OF NARCOTICS DETECTION CANINE "Raika", WHICH IS TRAINED AND CERTIFIED IN THE DETECTION OF THE PRESENCE OR ODOR OF NARCOTICS DESCRIBED AS FOLLOWS:

Marijuana, Hashish, Cocaine, Heroin, Methamphetamines, Ecstasy

ON 1/28/2014, AT THE REQUEST OF POSTAL INSPECTOR S. McDONOUGH, I RESPONDED TO THE Dayton, OH Processing and Distribution Center WHERE "Raika" DID ALERT TO AND INDICATE UPON THE FOLLOWING DESCRIBED ITEM:

Priority Mail Parcel, USPS Tracking Number, 9114 9011 5981 5818 1754 33, addressed to Trammells Family, 1118 Crocus, Apt. C, Dayton, Ohio 45417, with a return address of J. Joshua, 330 N. Van Ness, # 115, Fresno, CA 93710.

BASED ON MY TRAINING AND EXPERIENCE AND THAT OF "Raika", I CONSIDER THE ABOVE DESCRIBED ITEM TO CONTAIN WITHIN OR UPON THE PRESENCE OR ODOR OF A NARCOTIC OR OTHER DANGEROUS CONTROLLED SUBSTANCE.

Officer T. Lamanna 1/28/14

(Signature and Date)